

U.S. Patent Application No. 10/518,082

Docket No. 4590-358

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DEC 08 2006REMARKS

Reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 1-17 remain pending in the application. Claims 1, 2, 6, 7, 13-16 have been amended and new claim 18 has been added.

Claims 7, 8, 9 and 17 are rejected under 35 USC 102 (b) as being unpatentable over Pan (US 5,706,371). In response, claim 7 has been amended and believed to be patentable over Pan for the reasons discussed below.

Previously presented claim 7 only recited one capillary tube. To further emphasize the differences between the present invention and Pan, claim 1 has been amended to add "such that said two parts are aligned with each other". The cut separates the tube in two parts. This characteristic permits to align with a great precision the two optical fibers which are positioned inside each part of the capillary tube. In Pan, the capillary tubes 12 are not aligned (see for example Fig. 5a and 5b) For at least these reasons, claim 7 is patentable over Pan. Claims 7, 8, 9 and 17 recite additional, important limitations and should be patentable for the reasons discussed above with respect to Pan, as well as on their own merits. Accordingly, this anticipation should be withdrawn.

All objections and rejections having been addressed, it is respectfully submitted that the present application should be in condition for allowance and a Notice to that effect is earnestly solicited.

Early issuance of a Notice of Allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

LOWE HAUPTMAN & BERNER, LLP

*Kenneth M. Berner*

Kenneth M. Berner  
Registration No. 37,093

USPTO Customer No. 33308  
1700 Diagonal Road, Suite 300  
Alexandria, VA 22314  
(703) 684-1111  
(703) 518-5499 Facsimile  
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